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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

DAVID KEITH MCCARGO,

Defendant.

CRIMINAL NO. BAL 25 cr 220

(Possession of a Firearm and  
Ammunition by a Prohibited Person,  
18 U.S.C. § 922(g)(1); Possession with  
Intent to Distribute Controlled  
Substances, 21 U.S.C. § 841;  
Possession of a Firearm in  
Furtherance of a Drug Trafficking  
Crime, 18 U.S.C. § 924(c); Forfeiture,  
18 U.S.C. § 924(d), 21 U.S.C. § 853,  
and 28 U.S.C. § 2461(c))

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INDICTMENT

COUNT ONE

(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland charges that:

On or about March 13, 2025, in the District of Maryland, the Defendant,

DAVID KEITH MCCARGO,

knowing he had previously been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, knowingly possessed a firearm and ammunition, to wit, a 9mm Luger Tisas Model PX-9 Gen3 Night Stalker semiautomatic pistol bearing serial number T0620 23DC04768, and nineteen (19) rounds of 9mm ammunition, and the firearm and ammunition were in and affecting commerce.

18 U.S.C. § 922(g)(1)

**COUNT TWO**  
**(Possession with Intent to Distribute Controlled Substances)**

The Grand Jury for the District of Maryland further charges that:

On or about March 13, 2025, in the District of Maryland, the Defendant,

**DAVID KEITH MCCARGO,**

did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance; and a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841.

21 U.S.C. § 841(a)(1) &

21 U.S.C. § 841(b)(1)(B)

**COUNT THREE**

**(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)**

The Grand Jury for the District of Maryland further charges that:

On or about March 13, 2025, in the District of Maryland, the Defendant,

**DAVID KEITH MCCARGO,**

did knowingly possess a firearm, to wit, a 9mm Luger Tisas Model PX-9 Gen3 Night Stalker semiautomatic pistol bearing serial number T0620 23DC04768, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute Controlled Substances as charged in Count Two of this Indictment, which is incorporated herein by reference.

18 U.S.C. § 924(c)

**FORFEITURE ALLEGATION**

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the Defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. § 924(d), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c), in the event of the Defendant's convictions under Counts One through Three of this Indictment.

**Narcotics Forfeiture**

2. Upon conviction of the offense alleged in Count Two of this Indictment, the Defendant,

**DAVID KEITH MCCARGO,**

shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a):

- a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and
- b. any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

**Firearms and Ammunition Forfeiture**

3. Upon conviction of the offense(s) alleged in Counts One or Three of this Indictment, the Defendant,

**DAVID KEITH MCCARGO,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in such offense(s).

**Property Subject to Forfeiture**

4. The property to be forfeited includes, but is not limited to:
  - a. a 9mm Luger Tisas Model PX-9 Gen3 Night Stalker semiautomatic pistol bearing serial number T0620 23DC04768;
  - b. approximately nineteen (19) rounds of 9mm ammunition;
  - c. a black extended firearm magazine; and
  - d. approximately \$6,437.00 in U.S. currency recovered from the Defendant's person and the basement of 7214 Bridgewood Drive, Baltimore, Maryland, 21224, on or about March 13, 2025.

**Substitute Assets**

5. If, as a result of any act or omission of the defendant, any of the property described above as being subject to forfeiture:
  - a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property up to the value of the forfeitable property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

18 U.S.C. § 924(d)  
21 U.S.C. § 853  
28 U.S.C. § 2461(c)

*Kelly O. Hayes* / A/B  
Kelly O. Hayes  
United States Attorney

A TRUE BILL:

**SIGNATURE REDACTED**

*Foreperson*

*7/23/25*

Date